

Pond, Robert

From: Mark D. Pratt [mpratt@wenderoth.com]
Sent: Friday, August 28, 2009 9:47 AM
To: Pond, Robert
Subject: RE: Draft changes for your review/mods: Atty Docket #2002_0230A

Examiner Pond: The client has agreed to your proposed claim changes. Please proceed with an Examiner's Amendment that is consistent with your proposed changes. Thanks again.

Sincerely,

Mark D. Pratt

for

WENDEROTH, LIND & PONACK, L.L.P.
 Attorneys and Counselors at Law
 Patents, Trademarks, and Copyrights
 1030 15th Street, N.W., Suite 400 East
 Washington, DC 20005 U.S.A.

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From: Pond, Robert [mailto:Robert.Pond@USPTO.GOV]
Sent: Thursday, August 27, 2009 3:58 PM
To: Mark D. Pratt
Subject: RE: Draft changes for your review/mods: Atty Docket #2002_0230A

Mr. Pratt,

I think I got it all but please review. All I'm doing is taking out broad based language (e.g. operable to) and moving it to present tense to provide a meaningful limits on the structural elements.

Other changes made: "primary circulated" and "secondary circulated." I struck out the clarifying language pertaining to un-circulated and circulated as well. The spec is clear as to what is primary and secondary circulation.

Call to discuss should you have any significant issues, else authorize and we should be able to move forward very quickly.

Rob Pond
 571-272-6760

8/28/09

Pond, Robert

From: Pond, Robert
Sent: Thursday, August 27, 2009 3:58 PM
To: 'Mark D. Pratt'
Subject: RE: Draft changes for your review/mods: Atty Docket #2002_0230A
Attachments: Draft Claim Changes 08_27_09.doc

Mr. Pratt,

I think I got it all but please review. All I'm doing is taking out broad based language (e.g. operable to) and moving it to present tense to provide a meaningful limits on the structural elements.

Other changes made: "primary circulated" and "secondary circulated." I struck out the clarifying language pertaining to un-circulated and circulated as well. The spec is clear as to what is primary and secondary circulation.

Call to discuss should you have any significant issues, else authorize and we should be able to move forward very quickly.

Rob Pond
 571-272-6760

From: Mark D. Pratt [mailto:mpratt@wenderoth.com]
Sent: Wednesday, August 26, 2009 11:26 AM
To: Pond, Robert
Subject: RE: Requesting telephone time today or tomorrow. Atty Docket # 2002_0230A

Here are the claims as you requested.

Sincerely,

Mark D. Pratt

for

WENDEROTH, LIND & PONACK, L.L.P.
 Attorneys and Counselors at Law
 Patents, Trademarks, and Copyrights
 1030 15th Street, N.W., Suite 400 East
 Washington, DC 20005 U.S.A.

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STATUS OF THE CLAIMS

1-47. (Canceled)

48. **(Previously Presented)** A content distribution management system ~~for circulating that~~ circulates a content via a network that includes a plurality of communication terminal devices ~~operable to that~~ exchange the content on the network, a distribution management device ~~operable to that~~ performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device ~~operable to that~~ provides information regarding the circulation of the content to the communication terminal device, the system comprising:

at least one communication terminal device that includes:

a content receiving unit ~~operable to that~~ receives a content from another communication terminal device, the content being one of ~~an un-circulated~~ a primary circulated content ~~which has not yet been circulated~~ and a secondary circulated content ~~which has been circulated~~;

a content acquisition processing unit ~~operable to that~~ sends, to said distribution management device, purchase requesting information ~~for~~ requesting purchase of the received content;

a content storage processing unit ~~operable to that~~ receives, from the distribution management device, rights information for enabling, under a certain rule, usage of the content which is requested to be purchased;

said content acquisition processing unit that also ~~being operable to~~ sends information regarding a search to the communication exchange device, receives result information regarding a predetermined search item from the communication exchange device, and specifies a content and a communication terminal device which is a distributor of the content based on the received result information; and ~~operable to~~ sends, to the specified communication terminal device which is the distributor of the content, information for requesting the sending of the specified content;

said content storage processing unit that also ~~being operable to~~ uses the content which is requested to be purchased according to the rights information received by the rights information receiving unit; and ~~operable to~~ sends, to the distribution management

device, a rule registration request for requesting registration of a usage rule of one of the primary circulated ~~un-circulated~~ content and the secondary circulated content, which is to be distributed; and

a sending unit ~~operable to~~ that sends the content received by the content receiving unit to another communication terminal device,

wherein said content acquisition processing unit ~~is operable to~~ sends a search condition to the communication exchange device, receives a predetermined search list from the communication exchange device, weights an attribute information indicating a characteristic of each of the content which is attached to the received search list, compares the content based on the attribute information, and specifies a most weighted content and a communication terminal device which is a distributor of the most weighted content, and ~~is operable to~~ specifies one of said communication terminal device that requests the sending of content and said another communication terminal device as a destination of the specified content, and sends the requesting information to the specified communication terminal device, and

wherein said content storage processing unit further includes a usage request processing unit ~~operable to~~ that sends usage requesting information for requesting usage of a purchased content to the distribution management device, and receive usage licensing information for licensing the usage from the distribution management device, and said content storage processing unit ~~is operable to~~ uses the content based on the usage licensing information;

the communication exchange device includes:

a search responding unit ~~operable to~~ that receives the information regarding the search from a communication terminal device, determines the result information regarding the search based on the received information, and sends the result information to the communication terminal device sending the information regarding the search; and

the distribution management device includes:

a memory unit ~~operable to~~ that stores information regarding copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights

representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that are purchased and information indicating that the rights are not purchased;

a rights information sending unit ~~operable to that~~ specifies rights information according to one of the purchase requesting information received by the communication terminal device and the copyright management information that is specified based on the rule registration request, and sends the specified rights information to a predetermined communication terminal device; and

a payment management processing unit ~~operable to that~~ updates the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

the updating is performed by updating the payment information in the memory unit regarding the content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.

49. **(Previously Presented)** A distribution management device used in a content distribution management system ~~operable to that~~ circulates a content via a computer network, said content distribution management system including a plurality of communication terminal devices ~~operable to that~~ exchange the content on the network, a distribution management device ~~operable to that~~ performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device ~~operable to that~~ provides

information regarding the circulation of the content to the communication terminal device, the distribution management device comprising:

a memory unit ~~operable to that~~ stores copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that the rights are purchased and information indicating when rights are not purchased;

a rights information sending unit ~~operable to that~~ specifies rights information according to one of (i) purchase requesting information received by the communication terminal device, the purchase request information requesting purchase of one of ~~an un-circulated~~ a primary circulated content ~~which has not yet been circulated~~ and a secondary circulated content ~~which has been circulated~~ and (ii) the copyright management information that is specified based on a rule registration request indicating a usage rule of the one of the ~~an un-circulated~~ primary circulated content and the secondary circulated content, and sends the specified rights information to a predetermined communication terminal device; and

a payment management processing unit ~~operable to that~~ updates the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

wherein the updating is performed by updating the payment information in the memory unit regarding the one of the primary circulated ~~un-circulated~~ content and the secondary circulated content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule

registration request is received from the communication terminal device.

50. **(Previously Presented)** A communication terminal device used in a content distribution management system ~~operable to that~~ circulates a content via a computer network, said content distribution management system including a plurality of the communication terminal devices ~~operable to that~~ exchange the content on the network, a distribution management device ~~operable to that~~ performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device ~~operable to that~~ provides information regarding the circulation of the content to the communication terminal device, the communication terminal device comprising:

a content receiving unit ~~operable to that~~ receives a content from another communication terminal device, the content being one of a primary circulated ~~an un-circulated~~ content ~~which has not yet been circulated~~ and a secondary circulated content ~~which has been circulated~~;

a content acquisition processing unit ~~operable to that~~ sends purchase requesting information for requesting purchase of the received content to the distribution management device;

a content storage processing unit ~~operable to that~~ receives, from the distribution management device, rights information for enabling, under a certain rule, usage of the content which is requested to be purchased;

said content acquisition processing unit that ~~also being operable to~~ sends information regarding a search to, the communication exchange device, receive result information regarding a predetermined search item from the communication exchange device, and specifies a content and a communication terminal device which is a distributor of the content based on the received result information; and ~~operable to~~ sends, to the specified communication terminal device which is the distributor of the content, requesting information for requesting the sending of the specified content;

said content storage processing unit ~~operable to that~~ uses the content which is requested to be purchased according to the rights information received by the rights information receiving unit; and ~~operable to~~ sends, to the distribution management device, a rule registration request for requesting registration of a usage rule of one of the ~~un-circulated~~ primary circulated content and the secondary circulated content which is to be distributed; and

a sending unit ~~operable to that~~ sends the content received by the content receiving unit to another communication terminal device,

wherein said content acquisition processing unit ~~is operable to~~ sends a search condition to the communication exchange device, receive a predetermined search list from the communication exchange device, weights an attribute information indicating a characteristic of each of the content which is attached to the received search list, compares the content based on the attribute information, and specifies a most weighted content and a communication terminal device which is a distributor of the most weighted content, and

wherein said content acquisition processing unit ~~is operable to~~ specifies one of a communication terminal device making the request to send content and another communication terminal device as a destination of the specified content, and sends the sending requesting information to the specified device, and the content using unit further includes a usage request processing unit ~~operable to that~~ sends usage requesting information for requesting usage of a purchased content to the distribution management device, and receives usage licensing information for licensing the usage from the distribution management device, and the content using unit ~~is operable to~~ uses the content based on the usage licensing information.

51. **(Previously Presented)** A content distribution management method for managing distribution of a content, the method being used in a content distribution management system that for circulates the content via a computer network, and said content distribution management system including a plurality of communication terminal devices ~~operable to that~~ exchanges the content on the network, a distribution management device ~~operable to that~~ performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device ~~operable to that~~ provides information regarding the circulation of the content to the communication terminal device, the distribution management device including a memory unit ~~operable to that~~ stores copyright management information and payment management information such that the copyright management information and payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the information regarding the payment management including payment information indicating one of a payment amount for each of the rights that the rights that are

purchased and information indicating that the rights are not purchased, the method comprising:
by a communication terminal device:

receiving a first content from, the content being one of a primary circulated ~~an un-circulated~~ content ~~which has not yet been redistributed or resold~~ and a secondary circulated content ~~which has been being redistributed~~ circulated;

sending purchase requesting information for requesting purchase of the first content received, the purchase requesting information being sent to the distribution management device;

receiving, from the distribution management device, rights information for enabling, under a certain rule, usage of the first content which is requested to be purchased;

sending information regarding a search to the communication exchange device, receiving result information regarding a predetermined search item from the communication exchange device, and specifying a second content and a communication terminal device which is a distributor of the second content based on the received result information; and

sending, to the specified communication terminal device which is the distributor of the specified content, requesting information for requesting sending of the specified second content;

using the first content which is requested to be purchased according to the rights information received in the receiving of the rights information;

sending, to the distribution management device, a rule registration request for requesting registration of a usage rule of one of a primary circulated ~~an un-circulated~~ content and a secondary circulated content, which is to be distributed; and

sending the first content received in the receiving of the first content to another communication terminal device,

wherein the sending of the information regarding the search, the receiving of the result information, and the specifying the second content and the distributor of the second content are performed by sending a search condition to the communication exchange device, receiving a predetermined search list from the communication exchange device, weighting an attribute information indicating a characteristic of each of the content which

is attached to the received search list, comparing the content based on the attribute information, and specifying a most weighted content and a communication terminal device which is a distributor of the most weighted content, and

wherein the sending of the requesting information is performed by specifying one of a communication terminal device making the request and a communication terminal device as a destination of the specified content, and sending the requesting information to the specified communication terminal device, and the using of the first content further includes sending usage requesting information for requesting usage of a purchased first content to the distribution management device, receiving usage licensing information for licensing the usage from the distribution management device, and using the first content based on the usage licensing information;

by the communication exchange device:

receiving the information regarding the search from the communication terminal device, making the result information regarding the search based on the received information, and sending the result information to the communication terminal device that is the sender of the information regarding the search; and

by the distribution management device:

specifying rights information according to one of the purchase requesting information received by the communication terminal device and the copyright management information that is specified based on the rule registration request, and sending the specified rights information to a predetermined communication terminal device; and

updating the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the first content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased first content which is purchased according to the purchase requesting information, and the purchase

requesting information is received from the communication terminal device, and
the updating is performed by updating the payment information in the memory unit regarding the first content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.

52. **(Previously Presented)** A distribution management method ~~for~~ managing content distribution, the method being used in a distribution management device in a content distribution management system ~~for circulating~~ that circulates a content via a computer network, said content distribution management system including a plurality of communication terminal devices ~~operable to that~~ exchange the content on the network, the distribution management device ~~operable to that~~ performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device ~~operable to that~~ provides information regarding the circulation of the content to the communication terminal device, the distribution management device including a memory unit ~~operable to that~~ stores copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that the rights indicated by the number of the rights are purchased and information indicating that the rights are not purchased, the method comprising:

by the distribution management device:

specifying rights information according to one of (i) purchase requesting information received by the communication terminal device, the purchase request information requesting purchase of one of a primary circulated ~~an un-circulated~~ content ~~which has not yet been circulated~~ and a secondary circulated content ~~which has been circulated~~ and (ii) the copyright management information that is specified based on a rule registration request indicating a usage rule of the one of the primary circulated content and the secondary circulated content, and sending the specified rights information to a predetermined communication terminal device; and

updating the information regarding the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

the updating is performed by updating the payment information in the memory unit regarding the one of the primary circulated ~~uncirculated~~ content and the secondary circulated content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.